

Express Mail No. ER 366217995 US Docket No. K21722USWO (C034835/0191317)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTING AS  
DESIGNATED/ELECTED OFFICE (DO/EO/US) UNDER THE PATENT  
COOPERATION TREATY CONCERNING A FILING UNDER 35 U.S.C. § 371

*In re* Application of: )  
Elger FUNDA and Torsten HUBER )  
Based on Int'l Application No.: PCT/EP2004/003110 ) Examiner: Not yet assigned  
International Filing Date: 24 March 2004 ) Art Unit: Not yet assigned  
Filed: Herewith )  
For: **POWDEROUS FORMULATIONS OF FAT-  
SOLUBLE ACTIVE INGREDIENTS** )

New York, New York  
September 27, 2005

**PRELIMINARY AMENDMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination on the merits, please enter the amendment set forth below. Because this Preliminary Amendment is being filed concurrently with the above-identified application, no fee is believed due. If, however, a fee is due, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Please amend the application as follows:

**AMENDMENTS TO THE SPECIFICATION** begin on page 3 of this paper.

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims, which begins on page 4 of this paper.

**REMARKS** begin on page 7 of this paper.